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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/851,832	05/09/2001	Julian S. Taylor	SMQ-118/P6144	3937

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LAHIVE & COCKFIELD, LLP.
28 STATE STREET
BOSTON, MA 02109

EXAMINER

KHATRI, ANIL

ART UNIT	PAPER NUMBER
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2124

DATE MAILED: 08/03/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/851,832

Applicant(s)

TAYLOR, JULIAN S. 

Examiner

Anil Khatri

Art Unit

2124

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 May 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-54 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-54 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>8</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 1-54 are rejected under 35 U.S.C. 102(e) as being anticipated by *Prinzing* USPN 6,496,202.

Regarding claims 1, 10, 19, 28, 37 and 46

Prinzing teaches,

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- generating output data, with the user interface module, to render on the output device in response to processing statement in the user interface module (see abstract, figures 7, column 4, lines 58-65, “customize a GUI that.... To create view”);
- reaching a processing point, with the user interface module, where the user interface module does not include statement to generate output data (column 5, lines 7-15, “object that includes method... structural component”);
- receiving, with the user interface module, an interaction object from the application program specifying data after reaching the processing point (column lines 55-60, “forwarding a change notification... models set of listeners”); and
- generating output data to render on the output device from the interaction object (figures 4 and 8 column 6, lines 45-55, input receive such as user... change notification”).

Regarding claims 2, 11, 20, 29, 38 and 47

Prinzing teaches,

- object further includes attribute information indicating characterizes of the data to output, where the output data is rendered in a format corresponding to the characteristic indicated ill the attribute information (figures 4 and 7, column 4, lines 36-46, “change is made... from model 404”, columns 12-13, lines 59..., “object class that...”).

Regarding claims 3, 16, 21, 39 and 52

Prinzing teaches,

- the user interface module comprises a Controller and View and the application program comprises a model conforming to the a Model conforming to the Model View Controller

architecture (columns 4-5, lines 58..." GUI represents the view in a model view controller architecture...").

Regarding claims 4-6, 22-24 and 40-42

Prinzing teaches,

- requesting, with the Controller, the interaction object from the Model upon reaching the processing point (column 4, lines 15-24, "model 404 is the application... response strategy"); and
- transferring, with the Controller, the received interaction object to the View, wherein the View generates the output data to render from the interaction object (column 6, lines 44-55, "in the MVC architecture a controller... change notification").

Regarding claims 7-9, 12, 17, 18, 25-27, 30, 34-36, 43-45, 48, 53 and 54

Prinzing teaches,

- multiple user interface modules are capable of generating output data from the interaction object wherein each user interface module generates the output data to render in a different format (figures 8, 9 column 16, lines 34-50, "listener 822 facilitates... child view fragments").

Regarding claims 13-15, 31-33 and 49-51

Prinzing teaches,

- a true false question; an essay question; and a multiple choice question (figures 4-7, column 1, lines 1529, "GUI components types... another GUI components", column 13, lines 45-50, represents the view portion... or a button".

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- USPN 6195092
- USPN 6691299
- USPN 6694482
- USPN 6678882
- USPN 5999728

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anil Khatri whose telephone number is 703-305-0282. The examiner can normally be reached on M-F 8:30-5:00 PM.

The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


ANIL KHATRI
PRIMARY EXAMINER